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United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 31.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. Benjamin Hammond. Plea of guilty. Sentence suspended.

MISBRANDING OF "LIME, SULPHUR AND SALT," OR "HORICUM."

On March 12, 1913, the United States Attorney for the Southern District of New York, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against Benjamin Hammond, Fishkill-on-Hudson, doing business under the name and style of Hammond's Paint & Slug Shot Works, alleging the shipment and delivery for shipment, on April 7, 1911, from Fishkill-on-Hudson, in the State of New York, to Des Moines, in the State of Iowa, of a quantity of a certain insecticide and fungicide, designated "Lime, Sulphur and Salt" or "Horicum," which was misbranded within the meaning of the Insecticide Act of 1910. The article was labeled or branded: "Lime, Sulphur and Salt, One Quart. Concentrated—A Good Sticker. One Quart. Guaranteed under the U. S. Insecticide Act of 1910. Serial No. 21. 'Horicum.' Kills San Jose Scale. Directions For Use. This preparation is Lime, Sulphur and Salt, making a concentrated Polysulphide of Calcium. The salt adds to the adhesive properties, but the destructiveness of Scale Life lies in the Calcium Sulphide. The color in its concentrated form is a deep bronze green. Aside from its ability to destroy San Jose Scale, Horicum is a fungicide, preventing the free development of fungoid troubles. Shake the package thoroughly or take the top off. For general use as a Fungicide dilute 1 gallon to 30 and spray. For San Jose Scale do not pour off the clear liquor only, but 'use the Pulp

and all together.' * * * Made at Hammond's Slug Shot Works, Fishkill-on-Hudson, N. Y."

Analysis and examination of a specimen of the article in the United States Department of Agriculture showed that it consisted partially of inert substances, namely, water and salt, which do not prevent, destroy, repel, or mitigate insects or fungi. Misbranding of the article was alleged in the information in that it was an insecticide and fungicide, and that it consisted partially of inert substances, to wit, water and salt, which do not prevent, destroy, repel, or mitigate insects or fungi, and the names and percentage amounts of each and every one of the said inert ingredients were not stated on the label, nor were the names and percentage amounts of each and every ingredient of the said insecticide and fungicide having insecticidal and fungicidal properties stated on the label thereof.¹

The cause coming for trial on March 17, 1913, the defendant appeared and entered a plea of guilty and the court suspended sentence.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *December 19, 1913.*

¹As respects inert ingredients the Insecticide Act of 1910 requires that there must appear on the label either the name and percentage amount of each inert ingredient or the name and percentage amount of each active ingredient, together with the total percentage of inert ingredients.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 32.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. Benjamin Hammond. Plea of guilty. Sentence suspended.

MISBRANDING OF "KEROSENE OIL EMULSION."

On February 28, 1913, the United States Attorney for the Southern District of New York, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against Benjamin Hammond, Fishkill-on-Hudson, N. Y., doing business under the name and style of Hammond's Paint & Slug Shot Works, alleging the shipment and delivery for shipment, on June 1, 1911, from Fishkill-on-Hudson, in the State of New York, to Milwaukee, in the State of Wisconsin, of a quantity of a certain insecticide, designated "Kerosene Oil Emulsion," which was misbranded within the meaning of the Insecticide Act of 1910. The article was labeled or branded: "Hammond's Paint & Slug Shot Works. One Gallon. Established in 1875. Kerosene Oil Emulsion. Ready for Immediate Use by Dilution. An Insecticide of great value and extensively recommended for use on Scale Insects, Aphis, Caterpillars, Bugs and Worms of all kinds. This Concentrated Emulsion is to be diluted with 25 to 40 parts of soft water. Shake well and if it does not pour readily add a little water. After dilution apply it with a spray pump. * * * Benjamin Hammond, Fishkill-on-Hudson, N. Y."

Analysis of a specimen of the article in the United States Department of Agriculture showed that it consisted partially of an inert substance, namely, water, which does not prevent, destroy, repel, or mitigate insects. Misbranding of the article was alleged in the infor-

mation in that it was an insecticide, and that it consisted in part of an inert substance, to wit, water, which does not prevent, destroy, repel, or mitigate insects or fungi, and neither the name and percentage of said inert substance, nor the name and percentage amount of any other ingredient was stated on the label thereof.¹

The cause coming on for trial on March 17, 1913, the defendant appeared and entered a plea of guilty and the court suspended sentence.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *December 19, 1913.*

¹As respects inert ingredients the Insecticide Act of 1910 requires that there must appear on the label either the name and percentage amount of each inert ingredient or the name and percentage amount of each active ingredient, together with the total percentage of the inert ingredients.

I. & F. Nos. 13, 20, and 21.
Dom. Nos. 510, 3, and 4.

Issued November 22, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 33.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. James A. Blanchard Co. Plea of guilty. Fine, \$200.

MISBRANDING OF LEAD ARSENATE; MISBRANDING OF PARIS GREEN; ADULTERATION AND MISBRANDING OF LEAD ARSENATE.

On July 30, 1912, the United States Attorney for the Western District of Michigan, acting upon the report of the Secretary of Agriculture, filed an information, in four counts, in the District Court of the United States for said district against James A. Blanchard Co., New York, N. Y., a corporation, alleging violation of the Insecticide Act of 1910.

In the first count of the information it was alleged that on April 3, 1911, the James A. Blanchard Co. shipped and delivered for shipment from St. Joseph, in the State of Michigan, to Omaha, in the State of Nebraska, a quantity of lead arsenate which was misbranded within the meaning of the Insecticide Act of 1910. The article in question was labeled or branded: "Lion Brand Arsenate of Lead. Poison. Manufactured by the James A. Blanchard Co., N. Y., N. Y., & St. Joseph, Mich. * * *. As it leaves our factory is guaranteed to test 45 to 50 per cent. Arsenate of Lead, 15 per cent, As_2O_5 . Solubility less than 75-100 of 1 per cent. * * *"

Analysis of a specimen of the article in the United States Department of Agriculture showed that it contained less than 15 per cent arsenic oxid (As_2O_5). Misbranding of the article was alleged in the information in that it was lead arsenate, and the label on the packages containing the same bore the statement, "As it leaves our factory is guaranteed to test * * * 15 per cent, As_2O_5 " (arsenic oxide), which said statement was false and misleading, as in truth and in fact said arsenate of lead contained less than 15 per cent of arsenic oxide.

In the second count of the information it was alleged that on April 12, 1911, the James A. Blanchard Co. shipped and delivered for shipment from St. Joseph, in the State of Michigan, to Des Moines, in the State of Iowa, a quantity of Paris green which was misbranded within the meaning of the Insecticide Act of 1910. The article in question was labeled or branded: "Warranted Strictly Pure Paris Green (Poison). The James A. Blanchard Co., New York. Lion Brand. Strictly Pure Paris Green. One Pound Net."

Examination of specimens of the article in the United States Department of Agriculture showed that the packages contained less than 1 pound of the same. Misbranding of the article was alleged in the information in that it was Paris green, and the contents of the package in which said Paris green was contained were not plainly and correctly stated in terms of weight or measure on the outside of the package, in that the label on the outside of said packages bore the statement, "One Pound Net," whereas, in truth and in fact, said packages contained less than 1 pound net in weight of Paris green.

In the third and fourth counts of the information it was alleged that on April 12, 1911, the James A. Blanchard Co. shipped and delivered for shipment from St. Joseph, in the State of Michigan, to Des Moines, in the State of Iowa, a quantity of lead arsenate which was adulterated and misbranded within the meaning of the Insecticide Act of 1910. The article in question was labeled or branded: "Lion Brand Arsenate of Lead. Manufactured by The James A. Blanchard Co., New York, N. Y., and St. Joseph, Mich. Poison. Death. Directions. * * *. As it leaves our factory is guaranteed to test 50 to 55 per cent arsenate of lead, 15 per cent As_2O_5 . Solubility less than $\frac{7.5}{100}$ of 1 per cent. Guaranteed under the Insecticide Act of 1910 by The James A. Blanchard Co."

Analysis of a specimen of the article in the United States Department of Agriculture showed that it contained arsenic in water-soluble forms equivalent to more than seventy-five one-hundredths per cent of arsenic oxid (As_2O_5). Adulteration of the article was alleged in the information in that it was lead arsenate, and it contained arsenic in water-soluble forms equivalent to more than seventy-five one-hundredths per cent of arsenic oxid (As_2O_5). Misbranding of the article was alleged in the information in that it was lead arsenate, and the labels on the packages containing the same bore the statement, "As it leaves our factory is guaranteed to test * * * 15 per cent As_2O_5 . Solubility less than $\frac{7.5}{100}$ of 1 per cent," whereas, in truth and in fact, the percentage of soluble arsenic oxid (As_2O_5) in said arsenate of lead was more than seventy-five one-hundredths

per cent, and that said lead arsenate was labeled so as to deceive and mislead the purchaser thereof.

The cause coming on for trial on March 21, 1913, the defendant appeared and entered a plea of guilty to the information, and on the same day the court imposed a fine of \$200.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *July 29, 1913.*



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 34.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. Hood River Spray Manufacturing Co. Plea of guilty. Fine, \$25.

MISBRANDING OF "NIAGARA SPRAY."

On January 22, 1913, the United States Attorney for the District of Oregon, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against the Hood River Spray Manufacturing Co., Hood River, Oreg., a corporation, alleging the shipment and delivery for shipment, on January 31, 1912, from Hood River, in the State of Oregon, to Walla Walla, in the State of Washington, of a quantity of a certain insecticide known as "Niagara Spray", which was misbranded within the meaning of the Insecticide Act of 1910. The article was labeled or branded as follows: "Hood River Spray Mfg. Co., Hood River, Oregon. Beaume Test 31. This contains a pure concentrated solution of lime and sulphur, * * * Niagara Spray * * *."

Analysis of a specimen of the article in the United States Department of Agriculture showed that it consisted partially of an inert substance, namely, water, which does not prevent, destroy, repel, or mitigate insects or fungi. Misbranding of the article was alleged in the information in that it was an insecticide and consisted partially of an inert substance, to wit, water, which does not prevent, destroy, repel, or mitigate insects or fungi, and neither the name and percentage amount of said inert ingredient nor the name and percentage amount of each and every ingredient therein having insecticidal or fungicidal properties and the total percentage of the said inert ingredient present was stated on the label of the package containing said article.

The cause coming on for trial on February 3, 1913, the defendant, the Hood River Spray Manufacturing Co., was arraigned and entered a plea of guilty, and a fine of \$25 was imposed.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

Issued December 19, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 35.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. 156 Packages of "Roach Sault." Decree of condemnation by consent. Goods released on bond.

MISBRANDING OF "ROACH SAULT."

On February 13, 1913, an Assistant United States Attorney for the District of Columbia, acting upon the report of the Secretary of Agriculture, filed a libel in the District Court of the United States for said District, praying condemnation and forfeiture of 156 cans, more or less, of an insecticide known as and called "Roach Sault", found on the premises of The Washington Wholesale Drug Exchange, Washington, D. C. Each of the packages or cans containing the article was labeled or branded as follows: "Guaranteed * * * Serial No. 80. Destroys all roaches, waterbugs, etc. * * * Roach Sault. Directions * * * Small size. Made in U. S. A. Barrett Chemical Co., 9 North Moore St., near West Broadway, N. Y."

Analysis of a specimen of the article in the United States Department of Agriculture showed that it consisted partially of inert substances, namely, silica in the form of fine sand, sodium sulphate, and iron oxide, which do not prevent, destroy, repel, or mitigate insects or fungi. The libel alleged that the said 156 cans, more or less, of Roach Sault had been shipped by The Barrett Chemical Co., on April 10, 1912, and transported from New York in the State of New York, into the District of Columbia, and there remained unsold and in the original unbroken packages. The libel alleged further that the said 156 cans, more or less, of Roach Sault were misbranded within the meaning and intent of the Insecticide Act of 1910, in that the product contained in said cans was an insecticide, and consisted partially of inert substances, to wit, silica in the form of fine sand, sodium sulphate, and iron oxide, which do not prevent, destroy, repel, or mitigate insects or fungi, and that the cans containing said insecticide did not bear the names and percentage amounts of each and every one of said inert ingredients plainly and correctly stated upon the

labels thereof, nor a statement upon said labels of the correct names and percentage amounts of each and every ingredient having insecticidal or fungicidal properties and the total percentage of the inert ingredients present.

The cause coming on to be heard on March 24, 1913, the Barrett Chemical Co. entered an appearance, filed its claim to said goods, admitted the allegations of the libel, and consented to a decree of condemnation against said goods. On the same day the court adjudged the product misbranded as alleged in the libel, and entered a decree condemning the goods and ordering the same to be disposed of by sale by the United States marshal under such terms and conditions as would not violate the provisions of the Insecticide Act of 1910, provided, however, that the said goods should be delivered to The Barrett Chemical Co., the respondent, upon the execution and delivery by it of a good and sufficient bond in the penal sum of \$500, conditioned that the said product should not be sold or disposed of contrary to the provisions of the Insecticide Act of 1910.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 36.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. George E. Littlefield. Plea of nolo contendere. Information placed on file.

MISBRANDING OF "CREOLUSOL."

On June 15, 1912, the United States Attorney for the District of Massachusetts, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against George E. Littlefield, Cambridge, Mass., doing business under the name and style of the Sterling Chemical Co., alleging the shipment and delivery for shipment on February 14, 1911, from Cambridge, in the State of Massachusetts, to Washington, in the District of Columbia, of a quantity of an insecticide called "Creolusol," which was misbranded within the meaning of the Insecticide Act of 1910. The article was labeled or branded as follows: "Creolusol. A true disinfectant, ideal germicide and deodorizer. * * * It is non-poisonous, perfectly harmless to animals, * * * Prices: Quart Cans, 50 Cents; * * * Sterling Chemical Co. Research Laboratories, Cambridge, Mass., * * *."

Analysis and examination of a specimen of the article in the United States Department of Agriculture showed that the product was poisonous and harmful to animals, and that the package contained less than one quart of the article. Misbranding of the article was alleged in the information in that it was an insecticide, and (1) that the package containing said insecticide and the label thereof bore a certain statement regarding said insecticide and the ingredients and substances contained therein which was false and misleading, to wit, "It is non-poisonous, perfectly harmless to animals," whereas, in truth and in fact, said insecticide was poisonous and harmful to animals; (2) that the package containing said insecticide purported to state on the outside thereof its contents in terms of measure, that is to say, the words and figures "Prices: Quart Cans, 50 Cents" which appeared thereon operated to state the contents of said pack-

age as one quart of said insecticide, whereas, in truth and in fact, said package contained less than one quart of said insecticide; and (3) said insecticide consisted in part of an inert substance, to wit, water, which does not prevent, destroy, repel, or mitigate insects, and the package containing said insecticide and the label thereof did not have thereon the name and percentage amount of said inert substance, and did not state thereon the correct names and percentage amounts of each and every ingredient of said insecticide having insecticidal properties and the total percentage of said inert ingredient present in said insecticide.

The cause coming on for trial on March 18, 1913, the defendant, George E. Littlefield, appeared and entered a plea of nolo contendere and the information was placed on file.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

NOTE.—As respects inert ingredients the Insecticide Act of 1910 requires that there must appear on the label either the name and percentage amount of each inert ingredient or the name and percentage amount of each active ingredient, together with the total percentage amount of inert ingredients.



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 37.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. William H. Rust. Plea of non vult. Sentence suspended.

MISBRANDING OF "RUSOLINE."

On February 24, 1913, the United States Attorney for the District of New Jersey, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against William H. Rust, New Brunswick, N. J., alleging the shipment and delivery for shipment, on March 14, 1912, from New Brunswick, in the State of New Jersey, into the State of Kentucky, of a quantity of a product called "Rusoline" which was misbranded within the meaning of the Insecticide Act of 1910. The article in question was contained in cans, each labeled or branded in part as follows: "Rusoline * * * A pint of it makes 16 gallons of good disinfectant. See directions. Wm. Rust & Sons, sole proprietors, New Brunswick, N. J. Price 50 cents, * * * Prices * * * Quart cans, 50 cents, * * *"

Examination of specimens of the product in the United States Department of Agriculture showed that the cans contained less than one quart of the article. Misbranding of the article was alleged in the information in that it was an insecticide or fungicide, and (1) that the statements "Price 50 cents * * * Prices * * * Quart cans 50 cents," borne on the labels of said cans containing said product were false and misleading because they misled and deceived purchasers into the belief that said cans contained one quart of said product, whereas, in truth and in fact, each of said cans did not contain one quart, but a less amount; (2) that each of said cans was so labeled and branded as to deceive and mislead the purchaser, being labeled and branded "Price 50 cents * * * Prices * * * Quart cans 50 cents," which form of labeling and branding did mislead and deceive the purchaser into the belief that each of said cans contained one quart of said product, when, as a matter of fact, each of said cans did not contain one quart of said product, but a less

amount; and (3) that it was in package form and the contents were stated in terms of measure on the outside of the package as one quart, whereas, in truth and in fact, each of said cans did not contain one quart of said product, but each can contained less than one quart thereof.

The cause coming on for trial on April 1, 1913, the defendant, William H. Rust, appeared and entered a plea of non vult, and the court suspended sentence.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 38.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. William McCann. Plea of guilty. Fine, \$10.

MISBRANDING OF "SECURITY CARBOLIZED DISINFECTANT."

On April 2, 1913, the United States Attorney for the District of Minnesota, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against William McCann, Minneapolis, Minn., alleging the shipment by him, on January 10, 1912, from Minneapolis, in the State of Minnesota, to Lewiston, in the State of Idaho, of a quantity of a certain article designated as "Security Carbolized Disinfectant" which was misbranded within the meaning of the Insecticide Act of 1910.

Analysis of a specimen of the product in the United States Department of Agriculture showed that the article consisted partially of an inert substance, namely, water, which does not prevent, destroy, repel, or mitigate insects. Misbranding of the article was alleged in the information in that it was an insecticide and consisted partially of an inert substance, to wit, water, which substance does not prevent, destroy, repel, or mitigate insects, and neither the name and percentage amount of said inert ingredient nor the correct names and percentage amounts of each and every ingredient of said insecticide having insecticidal properties and the total percentage of said inert ingredient were plainly stated upon the labels on the packages containing said insecticide.

The cause coming on for trial on April 2, 1913, the defendant, William McCann, appeared and entered a plea of guilty and the court imposed a fine of \$10.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

19463°—No. 38—13



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 39.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. Barrett Chemical Co. Plea of guilty. Fine, \$25.

MISBRANDING OF "ROACH SAULT."

On April 2, 1913, the United States Attorney for the Southern District of New York, acting upon the report of the Secretary of Agriculture, filed an information in two counts in the District Court of the United States for said district against the Barrett Chemical Co., New York, N. Y., a corporation, alleging the shipment and delivery for shipment, on May 1, 1911, from New York, in the State of New York, to Chicago, in the State of Illinois, and on June 2, 1911, from New York, in the State of New York, to Philadelphia, in the State of Pennsylvania, of quantities of a certain article designated as "Roach Sault" which was misbranded within the meaning of the Insecticide Act of 1910. The article in both shipments was labeled or branded as follows: "B. C. Co. Household preparations. Roach Sault Will keep your home free from roaches, ants, waterbugs, etc. Barrett Chemical Co., No. 9 North Moore St., New York, U. S. A. Guaranteed by the Barrett Chemical Co. under the Insecticide Act of 1910, Serial No. 80."

Analysis of specimens of the article from both shipments, in the United States Department of Agriculture, showed that it consisted partially of inert substances, namely, substances other than sodium flourid, which do not prevent, destroy, repel, or mitigate insects. Misbranding of the article was alleged in each count of the information in that the article was an insecticide and that it consisted in part of inert substances which do not prevent, destroy, repel, or mitigate insects, and neither the names or percentage amounts of each and every one of such inert ingredients were stated on the label on said insecticide nor were the correct names and percentage amounts of the ingredients having insecticidal properties and the total percentage of the inert ingredients present stated on the label on said insecticide.

The cause coming on for trial on April 8, 1913, the defendant, the Barrett Chemical Co., appeared and entered a plea of guilty to the information and the court imposed a fine of \$25.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

NOTE.—As respects inert ingredients the Insecticide Act of 1910 requires that there must appear on the label either the name and percentage amount of each inert ingredient or the name and percentage amount of each active ingredient, together with the total percentage amount of inert ingredients. .

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 40.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. William Peterman (Inc.). Plea of guilty. Sentence suspended.

MISBRANDING OF "PETERMAN'S ROACH FOOD."

At the April term, 1913, of the District Court of the United States for the Southern District of New York the United States Attorney for said district, acting upon the report of the Secretary of Agriculture, filed an information, in two counts, in said court against William Peterman (Inc.), New York, N. Y., a corporation, alleging the shipment and delivery for shipment, on April 24, 1911, from New York, in the State of New York, to Indianapolis, in the State of Indiana, and on May 18, 1911, from New York, in the State of New York, to Detroit, in the State of Michigan, of quantities of a certain article designated as "Peterman's Roach Food" which was misbranded within the meaning of the Insecticide Act of 1910. The article in both shipments was labeled or branded as follows: "Peterman's Roach Food, * * * Cockroaches Union & Waterbugs Protection Ass'n. Fatal to Roaches, Waterbugs and Beetles. Guaranteed by Wm. Peterman, Inc., Under the Insecticide Act of 1910 Serial No. 1. Passaic Metal Ware Co., Passaic, N. J. Peterman's Roach Food is Ready for Use and one thorough application will destroy all Roaches and Waterbugs in one or two nights. * * * Wm. Peterman, Wm. Peterman, Inc., Successors, Manufacturing Chemist, 54 West 13th St., Near 6th Avenue, New York City, U. S. A."

Analysis of specimens of the article from both shipments, in the United States Department of Agriculture, showed that it consisted partially of inert substances, namely, substances other than sodium fluorid and a lead compound, which do not prevent, destroy, repel, or mitigate insects. Misbranding of the article was alleged in each count of the information in that the article was an insecticide and that it consisted in part of inert substances, namely, substances other

than sodium fluorid and a lead compound, which do not prevent, destroy, repel, or mitigate insects, and neither the names and percentage amounts of the said inert ingredients nor the names and percentage amounts of each and every ingredient having insecticidal properties and the total percentage of inert ingredients present were stated on the label on said insecticide.

The cause coming on for trial on April 8, 1913, the defendant, William Peterman (Inc.), appeared and entered a plea of guilty to the information and the court suspended sentence.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 41.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. William Peterman (Inc.). Plea of guilty. Sentence suspended.

MISBRANDING OF "PETERMAN'S ANT FOOD."

At the April term, 1913, of the District Court of the United States for the Southern District of New York the United States Attorney for said district, acting upon the report of the Secretary of Agriculture, filed information against William Peterman (Inc.), New York, N. Y., a corporation, alleging the shipment and delivery for shipment, on May 18, 1911, from New York, in the State of New York, to Detroit, in the State of Michigan, of a quantity of an article designated as "Peterman's Ant Food" which was misbranded within the meaning of the Insecticide Act of 1910. The article in question was labeled or branded as follows: "Peterman's Ant Food. Ant Food. Rest your aunt. Guaranteed by Wm. Peterman, Inc., under the Insecticide Act of 1910, Serial No. 1. Very fatal to ants. For Ants, Fleas, or Black Beetles. Wm. Peterman, Wm. Peterman, Inc., Successors, Manufacturing Chemists, 54 West 13th St., near 6th Avenue, New York City, U. S. A."

Analysis of a specimen of the article in the United States Department of Agriculture showed that it consisted partially of inert substances, namely, potato starch, wheat flour, and a small percentage of sugar (perhaps added), etc., which do not prevent, destroy, repel, or mitigate insects. Misbranding of the article was alleged in the information in that it was an insecticide and that it consisted in part of inert substances, to wit, potato starch, wheat flour, and sugar, which substances do not prevent, destroy, repel, or mitigate insects, and neither the names and percentage amounts of each and every one of the said inert ingredients nor the names and percentage amounts of each and every ingredient having insecticidal properties and the total percentage of inert ingredients present were stated on the label of said insecticide.

The cause coming on for trial on April 8, 1913, the defendant, Wm. Peterman (Inc.), appeared and entered a plea of guilty and the court suspended sentence.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., November 3, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 42.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. William Branson. Plea of nolo contendere. Fine, \$25.

MISBRANDING OF "INSECTONOS."

On September 12, 1912, the United States Attorney for the Southern District of Illinois, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against William Branson, Bloomington, Ill., alleging the shipment and delivery for shipment by him, on August 1, 1911, from Bloomington, in the State of Illinois, to Los Angeles, in the State of California, of a quantity of an insecticide known as "Insectonos" which was misbranded within the meaning of the Insecticide Act of 1910. The article was labeled or branded as follows: "Insectonos * * * a Non-Poisonous insect exterminator. Manufactured by Wm. Branson, Bloomington, Illinois. Guaranteed by Wm. Branson under the Insecticide Act of 1910. Serial No. 101. Non-Poisonous to man and beast. Harmless to plant life. Sure death to insects. This powder is in concentrated form and is to be diluted for use in the garden. Must be used with powder gun or bellows, or in solution with sprayer. Caution. Keep the can of powder covered, since by long exposure to the atmosphere the powder will lose its strength. Prepared from drugs of highest grade. For the extermination of * * * red spiders, * * * Directions inside. Price \$1.00."

Analysis and efficiency tests of a specimen of the article in the United States Department of Agriculture showed that it consists partially of an inert substance, namely, charcoal, which does not prevent, destroy, repel, or mitigate insects; and that it was not effective for the extermination of red spiders. Misbranding of the article was alleged in the information (1) in that it was an insecticide and that the statement, to wit, "For the extermination of * * * red spiders * * *" on the labels on the packages containing said

insecticide, was false and misleading, so as to deceive or mislead the purchaser into the belief that the contents of the packages would exterminate red spiders, whereas, in truth and in fact, the said product was ineffective for the extermination of red spiders; and (2) in that it was an insecticide and consisted partially of an inert substance, to wit, charcoal, which does not prevent, destroy, repel, or mitigate insects, and did not have the correct name and percentage amount of such inert ingredient, to wit, charcoal, plainly and correctly stated on the label, nor did it have the correct name and percentage amount of each active ingredient and the total percentage amount of the inert ingredient present, stated on the label.

The cause coming on for trial on April 8, 1913, the defendant, William Branson, appeared and entered a plea of *nolo contendere*, and the court imposed a fine of \$25 and costs.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 43.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. J. Albert Odell. Plea of nolo contendere. Fine, \$25.

ADULTERATION AND MISBRANDING OF "ODELL'S ROACH POWDER."

On April 11, 1913, the United States Attorney for the Western District of Pennsylvania, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against L. Albert Odell, doing business under the name and style of the Pittsburg Insect Exterminating Co., Pittsburg, Pa., alleging the shipment and delivery for shipment by him, on December 1, 1911, from Pittsburgh, in the State of Pennsylvania, to Indianapolis, in the State of Indiana, of a quantity of an insecticide called "Odell's Roach Powder," which was adulterated and misbranded within the meaning of the Insecticide Act of 1910. The article was labeled or branded as follows: "Beware of Imitations Roaches exterminated or No Pay Odell's Roach Powder the housekeeper's friend * * * None genuine without signature J. Albert Odell Copyrighted Price \$1.00 Mgd. by Pittsburg Insect Exterminating Co. 409 Grant Street * * * Pittsburg, Pa. J. Albert Odell, Mgr. Branch Offices: New York, Chicago, Philadelphia, Boston, St. Louis, Cincinnati, Indianapolis, St. Paul, San Francisco, New Orleans. Instructions. * * * Pittsburg Insect Exterminating Co., L. Albert Odell, Man. Copyrighted. * * *"

Analysis of a specimen of the article in the United States Department of Agriculture showed that it consisted in part of a substance, namely, corn meal, which does not prevent, destroy, repel, or mitigate insects. Misbranding of the article was alleged in the information in that it was labeled or branded so as to deceive or mislead

purchasers, in this, that the article consisted partially of an inert substance, to wit, corn meal, which does not prevent, destroy, repel, or mitigate insects, and the name and percentage amount of such inert ingredient was not plainly and correctly stated on the labels on the packages containing said article.¹

The cause coming on for trial on April 11, 1913, the defendant, L. Albert Odell, appeared and entered a plea of nolo contendere, and on April 29, 1913, the court imposed a fine of \$25.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *December 19, 1913.*

¹As respects inert ingredients the Insecticide Act of 1910 requires that there must appear on the label either the name and percentage amount of each inert ingredient or the name and percentage amount of each active ingredient, together with the total percentage of inert ingredients.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 44.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. Peter Kerr et al. Plea of guilty. Fine, \$25.

ADULTERATION AND MISBRANDING OF "HEMINGWAY'S PURE LEAD ARSENATE."

On March 17, 1913, the United States Attorney for the District of Oregon, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against Peter Kerr, Thomas Kerr, and Andrew Kerr, copartners, doing business under the firm name of Kerr, Gifford & Co., Portland, Oreg., alleging the shipment and delivery for shipment, on March 15, 1912, from Portland, in the State of Oregon, to Seattle, in the State of Washington, of a quantity of lead arsenate which was adulterated and misbranded within the meaning of the Insecticide Act of 1910. The article was contained in cans each labeled or branded as follows: "Hemingway's Pure Lead Arsenate. Poison. Hemingway's London Purple Co. Ltd. New York London. Guaranteed by Hemingway's London Purple Co. Ltd. under the Insecticide Act of 1910. Serial No. 50. Analysis. Arsenic Oxide 15%, Lead Oxide, about 32%, Water 50%, Soluble Arsenic, under $\frac{1}{2}$ %. Hemingway's Lead Arsenate conforms to the requirements of official entomologists and agriculturists and to the provisions of the proposed federal legislation. * * * 2 Pounds Net. (Stamped) Distributing Agents, Oregon Washington, Kerr, Gifford & Co., Portland, Oregon."

Analysis of a specimen of the article in the United States Department of Agriculture showed that it consisted of more than 50 per cent water; that it contained less than 15 per cent arsenic oxide; that it contained less than 32 per cent lead oxide; and that the contents of each of the cans containing the article were less than 2 pounds net on a 50 per cent water basis. Adulteration of the article was alleged in the information in that it was lead arsenate, and (1) that it contained more than 50 per cent of water, and was neither labeled "lead arsenate and water" nor was the percentage of extra water plainly and correctly stated on the label on the can containing the article; and (2) that a substance, to wit, water, in an amount exceeding 50 per cent of the article, was mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and the resulting mixture was neither labeled "lead arsenate and water" nor was the percentage of extra water plainly and correctly stated on the label on the can containing the article. Misbranding of the article was alleged in that it was lead arsenate, and that it was labeled and branded so as to deceive or mislead the purchaser (1) in this, that the label on each of the cans containing the article bore the statement, to wit: "Analysis: Arsenic Oxide 15%, Lead Oxide, about 32%, Water 50%," whereas in fact the article contained less than 15 per cent arsenic oxide, less than 32 per cent lead oxide, and more than 50 per cent water; (2) in this, that the label on each of the cans containing the article bore the statement, to wit: "2 Pounds Net;" whereas in fact each can contained less than 2 pounds net of the article; and (3) in this, that the article was in package form and the contents of the package were stated on the outside thereof in terms of weight, as follows, to wit: "2 Pounds Net," but the contents of the package were not correctly stated in terms of weight in that the package did not contain 2 pounds net of the article, but in fact contained much less than 2 pounds net.

The cause coming on for trial on April 14, 1913, the defendants, Peter Kerr, Thomas Kerr, and Andrew Kerr, appeared and entered a plea of guilty, and the court imposed a fine of \$25.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., November 3, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 45.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. Grasselli Chemical Co. Plea of guilty. Fine, \$10 and costs.

ADULTERATION AND MISBRANDING OF "GRASSELLI ARSENATE OF LEAD PASTE."

On March 20, 1913, the United States Attorney for the Eastern District of Louisiana, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against The Grasselli Chemical Co., New Orleans, La., a corporation, alleging the shipment and delivery for shipment, on November 1, 1911, from New Orleans, in the State of Louisiana, to Jacksonville, in the State of Florida, of a quantity of lead arsenate which was adulterated and misbranded within the meaning of the Insecticide Act of 1910. The article was labeled or branded as follows: "1 lb. Grasselli Arsenate of Lead Paste (Representation of bug) Trade Mark Reg. U. S. Pat. Office. The Grasselli Chemical Co. Established 1839. General Offices: Cleveland, Ohio. Branch Offices New York, Sixty Wall Street. Boston, 655 Summer Street. Chicago, 2235 Union Place. St. Louis, Mo., 112 Ferry St. Detroit, Mich. Milwaukee, Wis. St. Paul, Minn. Cincinnati, O. Birmingham, Ala. New Orleans, La. Poison * * * Directions * * * . This article when packed contains not over 50% water, 45 to 50% Arsenate of Lead (containing 15% As_2O_5). Water-soluble As_2O_5 and As_2O_3 not over .50%. Guaranteed by the Grasselli Chemical Co. under the Insecticide Act of 1910. Serial number 17."

Analysis of a specimen of the article in the United States Department of Agriculture showed that it consisted of more than 50 per cent water, and that it contained less than 15 per cent arsenic oxide

(As_2O_5), and less than 15 per cent arsenic oxide on a 50 per cent water basis. Adulteration of the article was alleged in the information in that it was lead arsenate, and (1) that it contained over 50 per cent water, and (2) that water had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength, and it was not labeled so as to indicate the percentage of water in excess of 50 per cent that was contained therein. Misbranding of the article was alleged in that it was lead arsenate and that the label thereof was false and misleading and of such a kind as to deceive or mislead the purchaser, (1) in this, that the label thereof bore the statement that the article contained not over 50 per cent water, whereas, in truth and in fact, it contained more than 50 per cent water, and the said statement regarding the article and the ingredients and substances contained therein was therefore false and misleading; (2) in this, that the label thereof bore the statement that the package contained 1 pound of Grasselli Arsenate of Lead Paste, and that the article when packed contained not over 50 per cent water, whereas, in truth and in fact, said statement was false and misleading in that the package contained less than 1 pound of arsenate of lead paste, on a 50 per cent water basis, that is to say, if the quantity of the water in the package had been reduced to 50 per cent the quantity of the substance therein contained would have been less than 1 pound; and (3) in this, that the label thereof bore the statement that the article when packed contained not over 50 per cent water, 45 to 50 per cent arsenate of lead (containing 15 per cent As_2O_5), whereas, in truth and in fact, the article contained when shipped less than 15 per cent arsenic oxide (As_2O_5), and also contained less than 15 per cent arsenic oxide (As_2O_5) on a 50 per cent water basis, that is to say, if the water in said article had been reduced to 50 per cent the quantity of arsenic oxide therein contained would still have been less than 15 per cent.

The cause coming on for trial on April 17, 1913, the defendant, The Grasselli Chemical Co., appeared and entered a plea of guilty and the court imposed a fine of \$10 and costs.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 46.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U S. v. The Sherwin-Williams Co. Plea of guilty. Fine, \$10 and costs.

MISBRANDING OF "SHERWIN-WILLIAMS STRICTLY PURE PARIS GREEN."

On April 13, 1913, the United States Attorney for the Western District of Missouri, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against The Sherwin-Williams Co., Kansas City, Mo., a corporation, alleging the shipment and delivery for shipment, on February 29, 1912, from Kansas City, in the State of Missouri, to Wichita, in the State of Kansas, of a quantity of Paris green which was misbranded within the meaning of the Insecticide Act of 1910. The article was contained in packages, or cans, each labeled or branded in part as follows: "Sherwin-Williams Strictly Pure Paris Green. Poison. Net Weight, Purity, and Uniformity are the essential qualities of Paris green. * * * One pound. * * * Sold for Insecticide Purposes."

Examination of specimens of the article in the United States Department of Agriculture showed that the contents of the packages were less than 1 pound, the average of the packages examined being 0.9515 pound. Misbranding of the article was alleged in the information in that it was Paris green, and (1) that the packages were labeled or branded so as to deceive or mislead the purchaser in this, that the labels on the packages stated and intended that the purchaser thereof should understand and be informed that each of said packages contained 1 pound of Paris green, whereas, in truth and in

fact, each of said packages did not contain 1 pound but contained less than 1 pound; and (2) that the said Paris green being in package form and the contents of each of said packages being stated in terms of weight, the weight of each of said packages was not correctly stated on the outside of each of said packages, in this, that the weight of each of said packages on the outside thereof was stated as 1 pound of Paris green, whereas, in truth and in fact, each of said packages did not contain 1 pound but contained less than 1 pound.

The cause coming on for trial on April 18, 1913, the defendant, The Sherwin-Williams Co., appeared and entered a plea of guilty, and the court imposed a fine of \$10 and costs.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 47.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. The Crown Chemical Co. Plea of guilty. Fine, \$50 and costs.

MISBRANDING OF "CROWN ANIMAL SPRAY."

On October 12, 1912, the United States Attorney for the Eastern District of Michigan, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against The Crown Chemical Co., Grayling, Mich., a corporation, alleging the shipment and delivery for shipment, on May 15, 1911, from Grayling, in the State of Michigan, to St. Louis, in the State of Missouri, of a quantity of an insecticide called "Crown Animal Spray," which was misbranded within the meaning of the Insecticide Act of 1910. The article was contained in packages, or pails, each labeled or branded as follows: "Crown Animal Spray For Horses, Cattle and Sheep One Gallon, Net Measure. * * * Manufactured by The Crown Chemical Co., Factory, Grayling, Mich. Gen'l. Offices, 944 Ohio Bldg., Toledo, O."

Examination of specimens of the article in the United States Department of Agriculture showed that the contents of the packages were less than one gallon, the average contents of the packages examined being 0.9058 of one gallon. Misbranding of the article was alleged in the information (1) in that the label on the package was false and misleading because it deceived the purchaser of the article, and (2) in that the article was in package form and the contents were stated in terms of measure but they were not plainly and correctly stated on the outside of the package; in this, that the statement, to

wit, "One Gallon, Net Measure," borne on the labels of the packages, was false and misleading, because as a matter of fact said packages did not contain one gallon, net measure, of the product, but a less amount, the average contents of the packages being about 0.9058 of one gallon.

The cause coming on for trial on April 29, 1913, the defendant, The Crown Chemical Co., appeared and entered a plea of guilty and the court imposed a fine of \$50 and costs.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 49.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. J. C. Pierson. Plea of guilty. Fine, \$25.

MISBRANDING OF "STOTT'S FIR TREE OIL SOAP."

On March 28, 1913, the United States Attorney for the Southern District of New York, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against J. C. Pierson, New York, N. Y., alleging shipment and delivery for shipment by him, on March 31, 1911, from New York, in the State of New York, to Denver, in the State of Colorado, of a quantity of a certain insecticide designated as "Stott's Fir Tree Oil Soap," which was misbranded within the meaning of the Insecticide Act of 1910. The article was labeled or branded as follows: "Stott's Fir Tree Oil Soap For use on plants, * * * Effective for Killing Scale, Mealy Bug, Red Spider, Aphis and all insects that infest plants. It keeps palms in a fine and healthy condition. It is an excellent wash for dogs. * * * Directions. Dissolve one ounce of Fir Tree Oil Soap in a gallon of water, and apply with an ordinary syringe or sponge. More or less per gallon may be used as results indicate is necessary. Fir Tree Oil, English Acid 10%, Soap, 85% * * *".

Analysis and tests of a specimen of the article in the United States Department of Agriculture showed that it consisted partially of an inert substance, namely, water, which does not prevent, destroy, repel, or mitigate insects; that it contained less than 85 per cent of soap; and that it would not kill San Jose scale or *Pulvinaria floccifera*, and was not effective for killing aphis. Misbranding of the

article was alleged in the information in that it was an insecticide, and (1) that the label thereof bore words and statements which were false and misleading, (a) in this, that the words, to wit, "Stott's Fir Tree Oil Soap", on the said label indicated that the name of the manufacturer of said insecticide was "Stott," whereas, in truth and in fact, Stott was not the manufacturer of said insecticide, but the same was manufactured by the Thompson Carbolic Soap Co.; (b) in this, that the words, to wit, "For use on plants, * * * Effective for Killing Scale, * * * and all insects that infest plants," on the said label, indicated that the said insecticide was effective for killing all varieties of scale and insects that infest plants, whereas, in truth and in fact, the said insecticide would not kill San Jose scale nor *Pulvinaria floccifera*; (c) in this, that the words, to wit, "For use on plants, * * * Effective for Killing * * * Aphis and all insects that infest plants," on the said label, indicated that the said insecticide was effective for killing aphis, whereas, in truth and in fact, the said insecticide was not effective for killing aphis; and (d) in this, that the statement, to wit, "Soap 85%," on the said label, indicated that the said insecticide contained 85 per cent soap, whereas, in truth and in fact, it contained less than 85 per cent soap; and (2) that the said insecticide contained water, an inert substance, which does not prevent, destroy, repel, or mitigate insects, and neither the name and percentage amount of the said inert ingredient was stated on the label on the said insecticide, nor were the names and percentage amounts of each and every ingredient having insecticidal properties and the total percentage of inert ingredients present, stated on the label thereof.

The cause coming on for trial on May 5, 1913, the defendant, J. C. Pierson, appeared and entered a plea of guilty and the court imposed a fine of \$25.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., November 3, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 50.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. H. W. Ditman. Plea of guilty. Fine, \$10.

MISBRANDING OF "EXCELSIOR WATER-BUG COCKROACH AND RAT PASTE."

On April 16, 1913, the United States Attorney for the Southern District of New York, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against H. W. Ditman, New York, N. Y., alleging the shipment and delivery for shipment by him, on May 2, 1911, from New York, in the State of New York, to Newark, in the State of New Jersey, of a certain insecticide designated "Excelsior Water-Bug Cockroach and Rat Paste," which was misbranded within the meaning of the Insecticide Act of 1910. The article was labeled or branded as follows: "Excelsior Water-Bug Cockroach and Rat Paste Manufactured by The K. K. K. Co. Broadway & Barclay St., N. Y. Price 25¢. The paste remains moist and retains its strength until consumed. K K K Kills Cockroaches Continually Never fails to Kill and Prevent. This paste never loses its moisture or strength, and when applied will not only rid the house but by retaining its moisture and strength kills the young ones as they are hatched; and stray ones from your neighbors."

Analysis of a specimen of the article in the United States Department of Agriculture showed that it consisted partially of inert substances, namely, substances other than phosphorous, which do not prevent, destroy, repel, or mitigate insects, and that it would not remain moist and retain its strength until consumed. Misbranding of the article was alleged in the information in that it was an insecti-

cide, and (1) that the words, to wit, "The paste remains moist and retains its strength until consumed." on the label thereof, was false and misleading, in that the said paste would not remain moist and retain its strength until consumed; and (2) in that it consisted in part of inert substances which do not prevent, destroy, repel, or mitigate insects, and neither were the names and percentage amounts of each and every one of such inert ingredients plainly and correctly stated on the label of said insecticide, nor were the correct names and percentage amounts of each and every ingredient of said insecticide having insecticidal properties and the total percentage of inert ingredients present stated on the label thereof.

The cause coming on for trial on May 5, 1913, the defendant, H. W. Ditman, appeared and entered a plea of guilty and the court imposed a fine of \$10.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 51.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. O. H. Jadwin & Sons. Plea of guilty. Sentence suspended.

MISBRANDING OF "HOOPER'S FATAL FOOD FOR ROACHES."

On April 16, 1913, the United States Attorney for the Southern District of New York, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against O. H. Jadwin & Sons, New York, N. Y., a corporation, alleging the shipment and delivery for shipment, on May 17, 1911, from New York, in the State of New York, to Newark, in the State of New Jersey, of a quantity of a certain insecticide designated "Hooper's Fatal Food For Roaches," which was misbranded within the meaning of the Insecticide Act of 1910. The article was labeled as follows: "Hooper's Fatal Food For Roaches. A new discovery for the destruction of croton bugs & cockroaches. * * * Sole Proprietor and Originator O. Hooper Jadwin, 63 Cortlandt Street, New York City".

Analysis of a specimen of the article in the United States Department of Agriculture showed that it consisted partially of inert substances, namely, substances other than sodium fluoride, which do not prevent, destroy, repel, or mitigate insects. Misbranding of the article was alleged in the information in that it was an insecticide, and consisted in part of inert substances which do not prevent, destroy, repel, or mitigate insects, and neither the names and percentage amounts of each and every one of said inert ingredients nor the names and percentage amounts of every ingredient of the said article having insecticidal properties and the total percentage of inert ingredients present were stated on the label of the said article.

The cause coming on for trial on May 7, 1913, the defendant, O. H. Jadwin & Sons, appeared and entered a plea of guilty, and the court suspended sentence.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., November 3, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 52.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. Lewy Chemical Co. Plea of guilty. Fine, \$75.

ADULTERATION AND MISBRANDING OF "LEWY'S ORIENTAL BRAND CAMPHORIZED MOTH CRYSTALS."

On April 16, 1913, the United States Attorney for the Southern District of New York, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against the Lewy Chemical Co., New York, N. Y., a corporation, alleging the shipment and delivery for shipment, on March 20, 1912, from New York, in the State of New York, to Washington, in the District of Columbia, of a quantity of a certain insecticide designated "Lewy's Oriental Brand CamphORIZED Moth Crystals," which was adulterated and misbranded within the meaning of the Insecticide Act of 1910. The article was labeled or branded as follows: "Lewy's Oriental Brand CamphORIZED Moth Crystals. The Lewy Chemical Co., 51 West 3d St., New York. Directions. After cleaning the article sprinkle these crystals over them. Furs, clothing, woolens, &c., are well protected by the use of this compound".

Analysis of a specimen of the article in the United States Department of Agriculture showed that it was composed of naphthalene and contained no camphor. Adulteration of the article was alleged in the information in that it was an insecticide, and (1) that it was sold under the professed standard and quality of camphORIZED moth crystals, whereas, in truth and in fact, the said article in strength and purity fell below the said professed standard in that it was a sub-

stance composed of naphthalene and containing no camphor; and (2) that another substance, to wit, naphthalene, had been substituted wholly for the genuine article, camphor moth crystals. Misbranding of the article was alleged in that it was an insecticide and was labeled and branded so as to deceive or mislead the purchaser thereof, in this, that the label would indicate that the said article contained camphor as one of its ingredients, whereas, in truth and in fact, the said article did not contain camphor as one of its ingredients, but consisted of another substance, to wit, naphthalene.

The cause coming on for trial on May 5, 1913, the defendant, the Lewy Chemical Co., entered a plea of guilty, and the court imposed a fine of \$75.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., November 3, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 53.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. Western Chemical Co. Plea of guilty. Fine, \$50.

MISBRANDING OF "THE GREAT WESTERN BUG EXTERMINATOR."

At the April term, 1913, of the District Court of the United States for the Southern District of New York the United States Attorney for said district, acting upon the report of the Secretary of Agriculture, filed information in said court against the Western Chemical Co., New York, N. Y., a corporation, alleging the shipment and delivery for shipment, on August 15, 1911, from New York, in the State of New York, to Englewood, in the State of New Jersey, of a quantity of a certain insecticide designated "The Great Western Bug Exterminator," which was misbranded within the meaning of the Insecticide Act of 1910. The article was labeled or branded as follows: "The Great Western Bug Exterminator 'A Destroyer of all Bugs' Bed Bugs, Water Bugs, Roaches, Ants, Fleas, Lice, etc. etc. Manufactured by Western Chemical Co., Inc., New York, N. Y. Montreal, P. Q. Raus Mit Em!!! Our Roach Killer (a powder) Does the Work. This preparation is Not Poisonous Not Inflammable. Its diligent use will rid the worst infected localities of all bugs. Western Chemical Co., N. Y."

Examination of two specimens from the shipment in the United States Department of Agriculture showed that, although bearing the same labeling, they consisted of two separate and distinct articles. Analysis and tests of one of the specimens showed that it was a carbolic preparation and was poisonous; that it consisted partially of an inert substance, namely water, which does not prevent, destroy, repel, or mitigate insects or fungi; and that it would not kill or

destroy roaches. Analysis of the other specimen showed that it contained nitrobenzene and a mineral oil and was poisonous and inflammable. Misbranding of the article was alleged in the information in that it was an insecticide, and (1) that it was labeled or branded so as to deceive or mislead the purchaser, in this, that the label thereof would indicate that said insecticide would kill and destroy roaches; whereas, in truth and in fact, the said insecticide would not kill or destroy roaches; (2) that the statement on the label thereof to the effect that the said article was not poisonous was false and misleading in that the said article was in truth and in fact poisonous; (3) that the statement on the label thereof to the effect that the said article was not inflammable was false and misleading in that the said article was in truth and in fact inflammable; and (4) that it consisted in part of an inert substance, to wit, water, which does not prevent, destroy, repel, or mitigate insects, and neither the name and percentage amount of the said inert ingredient nor the names and percentage amounts of each and every ingredient having insecticidal properties and the total percentage of the said inert ingredient present were stated on the label of the said insecticide.

The cause coming on for trial on May 5, 1913, the defendant, the Western Chemical Co., entered a plea of guilty, and the court imposed a fine of \$50.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 54.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. P. E. Anderson and Charles W. Anderson. Verdict of not guilty.

ALLEGED ADULTERATION AND MISBRANDING OF "P E A CO. BRAND INSECT POWDER."

On April 16, 1913, the United States Attorney for the Southern District of New York, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against Percy E. Anderson and Charles W. Anderson, doing business under the firm name and style of P. E. Anderson & Co., New York, N. Y., alleging the shipment and delivery for shipment, on September 30, 1911, from New York, in the State of New York, to Savannah, in the State of Georgia, of a quantity of a certain insecticide designated "P E A Co. Brand Insect Powder," which was adulterated and misbranded within the meaning of the Insecticide Act of 1910. The article was labeled or branded as follows: "P E A Co. Brand Insect Powder. P E A Co. New York."

Analysis of a specimen of the article in the United States Department of Agriculture showed that it contained an inert substance, to wit, a siliceous material insoluble in hydrochloric acid, which does not prevent, destroy, repel, or mitigate insects. Adulteration of the article was alleged in the information in that it was an insecticide, and (1) that it was sold under the professed standard and quality of being wholly insect powder, whereas the said insecticide fell below the said professed standard and quality in strength and purity and consisted in part of an inert substance; and (2) that a substance other than insect powder had been substituted in part for the said article. Misbranding of the article was alleged in that it was an insecticide, and (1) that the label thereof regarding said article and the ingredients contained therein was false and misleading in that the article was not insect powder but was a mixture of insect powder and another sub-

stance, to wit, a siliceous substance; and (2) that it consisted in part of an inert substance which does not prevent, destroy, repel, or mitigate insects, and neither the name and percentage amount of said inert ingredient, nor the names and percentage amounts of each and every ingredient having insecticidal properties and the total percentage of inert ingredients present were stated on the label of said insecticide.

The cause coming on for trial on May 9, 1913, the defendants, Percy E. Anderson and Charles W. Anderson, appeared and entered a plea of not guilty, and on May 12, 1913, the jury returned a verdict of not guilty.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 55.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. The Sanitas Co. Plea of guilty. Fine, \$10.

MISBRANDING OF "SANITAS."

On May 9, 1913, the United States Attorney for the Southern District of New York, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against The Sanitas Co., New York, N. Y., a corporation, alleging the shipment and delivery for shipment, on April 30, 1911, from New York, in the State of New York, to Washington, in the District of Columbia, of a quantity of a certain article designated "Sanitas," which was misbranded within the meaning of the Insecticide Act of 1910. The article was contained in a package labeled as follows: "'Sanitas' the best disinfectant 'Sanitas' 'Sanitas' Animal (Soft) Soap. * * * Sole Manufacturers The 'Sanitas' Co., Ltd. 636, 638, 640 and 642 W. 55th St., New York City," and was further labeled on a pamphlet inclosed with the package, as follows: "'Sanitas' does not rob the air of its vital oxygen (so essential to animal life), nor hide the foul smells of decomposition by an overpowering odor of its own, but it actually generates oxygen in its most active form and destroys all offensive matter and disease germs, and is free from the dangers attending the use of the poisonous metallic salts. * * * A Disinfectant, to be Fit for Universal Use, Should Be:—An effective germicide, but not poisonous if by chance taken internally, prompt and energetic in its action but not offensive in smell, a powerful air purifier, but not a consumer of oxygen, an efficient deodorizer, but not corrosive. 'Sanitas' is the

only preparation known to science which possesses all these necessary qualifications."

Analysis and tests of a specimen of the article in the United States Department of Agriculture showed that it does not generate oxygen; that it is not a powerful disinfectant or an effective germicide, but in fact possesses but weak germicidal and disinfectant properties; and that it consists partially of an inert substance, namely, water, which does not prevent, destroy, repel, or mitigate insects or fungi. Misbranding of the article was alleged in the information (1) in that it was labeled and branded so as to deceive and mislead the purchaser in that the following statements on the label on said article were false and misleading, to wit, the statements that the article actually generated oxygen in its most active form, that it was a powerful disinfectant, that it destroyed all offensive matter and disease germs, that it was an effective germicide, and that it was prompt and energetic in its action, whereas, in truth and in fact, the said article did not actually generate oxygen in its most active form, and the said article was not a powerful disinfectant and would not destroy all offensive matter and disease germs, and was not an effective germicide, and was not prompt and energetic in its action, but in truth and in fact the said article possessed only weak germicidal and disinfectant properties; and (2) in that it consisted in part of an inert substance, to wit, water, and neither the name and percentage amount of said inert ingredient, nor the names and percentages amounts of each and every ingredient having insecticidal and fungicidal properties and the total percentage of the inert ingredient present were stated on the label of said article.

The cause coming on for trial on May 14, 1913, the defendant, The Sanitas Co., entered a plea of guilty, and the court imposed a fine of \$10.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 56.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. C. G. Betts Co. Plea of guilty. Fine, \$25 and costs.

MISBRANDING OF "INLAND LIME-SULPHUR SPRAY."

On April 4, 1913, the United States Attorney for the Eastern District of Washington, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against the C. G. Betts Co., Spokane, Wash., a corporation, alleging the shipment and delivery for shipment, on April 15, 1912, from Spokane, in the State of Washington, to Coeur d'Alene, in the State of Idaho, of a quantity of an insecticide called "Inland Lime-Sulphur Spray," which was misbranded within the meaning of the Insecticide Act of 1910. The article was labeled or branded as follows: "Inland Lime-Sulphur Spray. Directions. * * * The C. G. Betts Co. Manufacturers Spokane Washington."

Analysis of a specimen of the article in the United States Department of Agriculture showed that it consisted partially of an inert substance, namely, water, which does not prevent, destroy, repel, or mitigate insects or fungi. Misbranding of the article was alleged in the information in that it was an insecticide and fungicide, and that it consisted partially of an inert substance, to wit, water, which does not prevent, destroy, repel, or mitigate insects or fungi, and did not have the name and percentage amount of such inert ingredient plainly and correctly stated on the label, nor did the said label bear a statement of the name and percentage amount of each and every ingredient of the insecticide and fungicide having insecticidal and fungicidal properties and the total percentage of inert ingredients present.

The cause coming on for trial on May 26, 1913, the defendant, the C. G. Betts Co., appeared and entered a plea of guilty, and the court imposed a fine of \$25 and costs.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 57.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. Sylvannus H. Kellogg. Plea of guilty. Fine, \$10 and costs.

MISBRANDING OF "KELLOGG'S ANT PASTE."

On April 4, 1913, the United States Attorney for the Southern District of California, acting upon the report of the Secretary of Agriculture, filed information in the District Court of the United States for the said district against Sylvannus H. Kellogg, Los Angeles, Cal., alleging the shipment and delivery for shipment by him, on June 12, 1911, from Los Angeles, in the State of California, to Dallas, in the State of Texas, of a quantity of an article designated "Kellogg's Ant Paste," which was misbranded within the meaning of the Insecticide Act of 1910. The article was labeled or branded as follows: "25¢ Kellogg's Ant Paste. Kellogg Ant Paste Co. Manufacturers. Is the Original — All other Ant Pastes are Imitations. Guaranteed by Kellogg Ant Paste Co. under the Insecticide Act of 1910, Serial No. 205 * * *."

Analysis of a specimen of the article in the United States Department of Agriculture showed that it contained arsenic; that it contained arsenic in water-soluble forms; and that it consisted partially of inert substances (substances other than arsenious oxid) which do not prevent, destroy, repel, or mitigate insects. Misbranding of the article was alleged in the information in that it was an insecticide, and (1) that the said insecticide contained arsenic, and the total amount of arsenic present (expressed as per centum of metallic arsenic) was not stated on the label of the said insecticide; (2) that the said insecticide contained arsenic, and the amount of arsenic in water-soluble forms (expressed as per centum of metallic arsenic) was not stated on the label of the insecticide; and (3) that the said insecticide

consisted partially of inert substances (substances other than arsenious oxid) which do not prevent, destroy, repel, or mitigate insects, and neither the names and percentage amounts of each and every one of such inert ingredients nor the names and percentage amounts of each and every ingredient of the said insecticide having insecticidal properties and the total percentage of inert ingredients present were stated on the label of the insecticide.

The cause coming on for trial on June 23, 1913, the defendant, Sylvannus H. Kellogg, appeared and entered a plea of guilty, and the court imposed a fine of \$10 and costs.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*



Issued December 31, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 58.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. The Formacone Co. Plea of guilty. Fine, \$50.

MISBRANDING OF "SANOC."

At the April term, 1913, of the District Court of the United States for the District of New Jersey, the United States Attorney for said district, acting upon the report of the Secretary of Agriculture, filed information in said court against the Formacone Co., Newark, N. J., a corporation, alleging the shipment and delivery for shipment, on April 3, 1912, from Newark, in the State of New Jersey, to Washington, in the District of Columbia, of a quantity of an article designated "Sanoc," which was misbranded within the meaning of the Insecticide Act of 1910. The article was contained in packages, or cans, each labeled as follows: "Sanoc. A coal tar disinfectant. A powerful germicide, deodorant and insecticide * * * Distributed by the Formacone Company, 50 Church St., New York." Packed with said cans were circulars or pamphlets reading in part as follows: "Sanoc. Disinfectant, deodorant, insecticide * * * Sanoc is a powerful disinfectant, being superior to carbolic acid on account of being non-caustic, non-poisonous, and more economical. * * * One ounce of Sanoc to a gallon of water makes a powerful disinfectant and antiseptic and will destroy all germs and odors at once * * *."

Analysis and bacteriological tests of a specimen of the article in the United States Department of Agriculture showed that it was caustic and poisonous, and that it would not destroy all germs and odors at once; and that it consisted partially of an inert substance, namely, water, which does not prevent, destroy, repel, or mitigate

insects or fungi. Misbranding of the article was alleged in the information (1) in that it was labeled or branded so as to deceive and mislead the purchaser, in that the statements, to wit, "Sanoc is a powerful disinfectant, being superior to carbolic acid on account of being non-caustic, non-poisonous, and more economical, * * *" and "One ounce of Sanoc to a gallon of water makes a powerful disinfectant and antiseptic and will destroy all germs and odors at once," contained in the said circular or pamphlet packed with said product, were false and misleading because they misled and deceived the purchaser into the belief that the product was non-caustic and non-poisonous and that it would destroy all germs and odors at once, whereas, in truth and in fact, it was caustic and poisonous and would not destroy all germs and odors at once; and (2) in that the article consisted partially of an inert substance, to wit, water, and neither the name and percentage amount of the inert ingredient nor the names and percentage amounts of each and every ingredient having insecticidal or fungicidal properties and the total percentage of the inert ingredient were stated on the label.

The cause coming on for trial on June 30, 1913, the defendant, the Formacone Co., appeared and entered a plea of guilty, and the court imposed a fine of \$50.

B. T. GALLOWAY,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 59.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

**U. S. v. 5 Cases Lead Arsenate. Decree of condemnation on default.
Goods disposed of according to law.**

ADULTERATION AND MISBRANDING OF "HEMINGWAY'S PURE LEAD ARSENATE."

On March 11, 1913, the United States Attorney for the Southern District of Florida, acting upon the report of the Secretary of Agriculture, filed a libel in the District Court of the United States for said district, praying condemnation and forfeiture of five cases, more or less, each containing 100 one-pound packages or tins, of an article designated "Hemingway's Pure Lead Arsenate," found on the premises of Groover-Stewart Drug Co., Jacksonville, Fla. Each of the packages, or tins, was labeled or branded as follows: "Hemingway's 1 lb. Nett 1 lb. Nett Pure Lead Arsenate. Hemingway's London Purple Co. Ld. New York and London. * * * Analysis: Arsenic Oxide 15%, Lead Oxide, about 32%, Water, 50%, Soluble Arsenic under $\frac{1}{2}$ %. Hemingway's Lead Arsenate conforms to the requirements of official entomologists and agriculturists, and to the provisions of the Federal laws." It was alleged in the libel that the said five cases, more or less, of lead arsenate had been shipped by Hemingway's London Purple Co. Ld. on November 26, 1912, and transported from the State of New York into Jacksonville, in the State of Florida, and there remained in the original unbroken packages.

Analysis and examination of a specimen of the article in the United States Department of Agriculture showed that it contained more than 50 per cent of water; and that the contents of the packages were less than one pound on a 50 per cent water basis. Adulteration of

the article was alleged in the libel in that it was lead arsenate, and that it contained an excess of water. Misbranding of the article was alleged in the libel in that it was lead arsenate, and (1) that it was labeled or branded so as to deceive or mislead the purchaser, (a) in this, that the label claimed "Water 50%," whereas more than said percentage of water was present; (b) in this, that the label claimed "1 lb. Nett Pure Lead Arsenate," whereas less than one pound net was present on a 50 per cent water basis claimed by the label and required by the Insecticide Act of 1910; and (2) that the contents of the packages were stated in terms of weight but they were not plainly and correctly stated on the outside of the package, in this, that the label on each package bore the statement "1 lb. Nett Pure Lead Arsenate," whereas less than one pound is present on the 50 per cent water basis claimed by the label and required by the Insecticide Act of 1910.

The cause coming on to be heard on July 1, 1913, no appearance having been entered and no answer filed, a decree was entered by default adjudging the article adulterated and misbranded and condemned and forfeited to the United States, and ordering the United States marshal to dispose of the goods in accordance with law.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 60.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. Dr. David Roberts Veterinary Co. Plea of guilty. Fine, \$10.

MISBRANDING OF "DR. DAVID ROBERTS DISINFECTALL."

On July 2, 1913, the United States Attorney for the Eastern District of Wisconsin, acting upon the report of the Secretary of Agriculture, filed information in the United States District Court for said district against Dr. David Roberts Veterinary Co., Waukesha, Wis., a corporation, alleging the shipment and delivery for shipment, on August 20, 1912, from Waukesha, in the State of Wisconsin, to Chicago, in the State of Illinois, of a quantity of an article designated "Dr. David Roberts Disinfectall," which was misbranded within the meaning of the Insecticide Act of 1910. The article was labeled or branded as follows: "Dr. David Roberts Disinfectall For Prevention of Diseases. Directions. * * * For Dipping Live Stock. To Prevent Disease and Kill Parasites. * * * Use one gallon of Disinfectall to seventy-one gallons of water. To Overcome Skin Diseases and Parasites * * * Use one gallon of Disinfectall to seventy-one gallons of water. * * * Disinfectall is invaluable for Dipping Sheep, Cattle, Hogs and Horses for destroying Scabs, Lice, Mange and all Parasites and overcoming Skin Diseases of Live Stock. 1 Gallon \$1.25, 5 Gallons \$5.00. Dr. David Roberts Veterinary Co., Waukesha, Wisconsin, U. S. A. The contents of this package is guaranteed by Dr. David Roberts Veterinary Co., under the Insecticide Act of 1910. U. S. Serial No. 372. * * *"

Examination of specimens of the article in the United States Department of Agriculture showed that the packages contained less than one gallon of the article, and that the article would not destroy

certain forms of mange and certain parasites of live stock. Misbranding of the article was alleged in that it was an insecticide, and the label on the package was false and untrue, (1) for the reason that the label conveyed the impression and was calculated to deceive and convey the impression and belief that said package contained one gallon of said insecticide, whereas, in truth and in fact, said package contained less than one gallon of said insecticide; and (2) for the reason that the label conveyed the impression and was calculated to deceive and convey the impression and belief that the said article was invaluable for destroying mange and all parasites of live stock, whereas, in truth and in fact, there are certain forms of mange and certain parasites of live stock that are not destroyed by said insecticide.

The cause coming on for trial on July 16, 1913, the defendant, Dr. David Roberts Veterinary Co., appeared and entered a plea of guilty, and the court imposed a fine of \$10.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF INSECTICIDE ACT JUDGMENT NO. 61.

(Given pursuant to section 4 of the Insecticide Act of 1910.)

U. S. v. Blumauer-Frank Drug Co. Plea of guilty. Fine, \$100.

MISBRANDING OF "WHALE OIL SOAP."

On June 14, 1913, the United States Attorney for the District of Oregon, acting upon the report of the Secretary of Agriculture, filed information in the United States District Court for said district against Blumauer-Frank Drug Co., Portland, Oreg., a corporation, alleging the shipment and delivery for shipment, on May 20, 1912, from Portland, in the State of Oregon, to Vancouver, in the State of Washington, of an article called "Whale Oil Soap," which was misbranded within the meaning of the Insecticide Act of 1910. The article was contained in packages each labeled or branded as follows: "Whale Oil Soap. This soap is highly and universally esteemed as a destroyer of Moths, Worms, Lice and all Insects that infest Plants, Shrubs, and Trees; it also operates as a fertilizer to the Plant or Tree. * * * Put up by Blumauer-Frank Drug Company, Wholesale Importing and Manufacturing Druggists, Portland, Oregon. * * *"

Analysis and tests of a specimen of the article in the United States Department of Agriculture showed that it was not effective in destroying all insects that infest plants; that it did not contain any substance that would act as a plant fertilizer; and that it consisted partially of an inert substance, namely, water, which does not prevent, destroy, repel, or mitigate insects. Misbranding of the article was alleged in the information in that it was an insecticide, and (1) that it was labeled and branded so as to deceive and mislead the purchaser, (a) in this, that the label on each of the packages bore the statement,

to wit, "This soap is highly and universally esteemed as a Destroyer of Moths, Worms, Lice and all Insects that infest Plants, Shrubs and Trees," whereas, in truth and in fact, said insecticide was not effective in destroying all insects that infest plants, shrubs, and trees; (b) in this, that the label on each of the packages bore the statement, to wit, "It also operates as a fertilizer to the Plant or Tree," whereas, in truth and in fact, said insecticide did not contain any substance that would act as a plant fertilizer; (c) in this, that the label on each of the packages bore the statement, to wit, "Put up by Blumauer-Frank Drug Company, Wholesale Importing and Manufacturing Druggists, Portland, Oregon," whereas, in truth and in fact, said insecticide was not put up by said Blumauer-Frank Drug Co., but was put up by Fisher-Thorsen & Co., Portland, Oreg.; and (2) that it consisted partially of an inert substance, to wit, water, which does not prevent, destroy, repel, or mitigate insects, and the name and percentage amount of said inert ingredient was not stated on the label on said packages, and no label on any of said packages bore a statement of the name and percentage amount of each and every ingredient of said insecticide having insecticidal properties and a statement of the total percentage of the said inert ingredient of said insecticide.

The cause coming on for trial on July 30, 1913, the defendant, Blumauer-Frank Drug Co., appeared and entered a plea of guilty, and the court imposed a fine of \$100.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 3, 1913.*

NOTE.—As respects inert ingredients the Insecticide Act of 1910 requires that there must appear on the label either the name and percentage amount of each inert ingredient or the name and percentage amount of each active ingredient, together with the total percentage amount of inert ingredients.